

1 WRIGHT, FINLAY & ZAK, LLP
2 Darren T. Brenner, Esq.
3 Nevada Bar No. 8386
4 Jory C. Garabedian, Esq.
5 Nevada Bar No. 10352
6 7785 W. Sahara Ave., Ste. 200
7 Las Vegas, NV 89117
8 (702) 475-7964; Fax: (702) 946-1345
9 jgarabedian@wrightlegal.net
10 *Attorney for Defendant, Bank of America, N.A.*

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MARLAINA SMITH,

Plaintiff,

v.

TRANS UNION, LLC; EQUIFAX
INFORMATION SERVICES, LLC;
EXPERIAN INFORMATION SOLUTIONS,
INC.; JPMORGAN CHASE BANK, N.A.;
CITIBANK, N.A.; BANK OF AMERICA,
N.A.; US. DEPARTMENT OF EDUCATION;
and NAVIENT SOLUTIONS, LLC,

Defendants.

Case No. 2:22-cv-02041-GMN-NJK

**UNOPPOSED MOTION TO EXTEND
TIME TO RESPOND TO PLAINTIFF'S
FIRST AMENDED COMPLAINT**

**(First Request as to First Amended
Complaint; Second Request to Extend
Time in General)**

Defendant Bank of America N.A. ("BANA") by and through its undersigned counsel of record, hereby submits the following Unopposed Motion to Extend Time to Respond to Plaintiff's Complaint:

On December 8, 2022, Plaintiff filed her Complaint. (ECF No. 1). The Summons and Complaint were purportedly served on BANA on December 12, 2022, which made the initial deadline to respond to the Complaint January 3, 2023.

On January 4, 2023, this Court extended the time to respond to the Complaint to February 2, 2023. (ECF No. 26).

On January 10, 2023, Plaintiff filed her First Amended Complaint. (ECF No. 35).

1 BANA continues to investigate the allegations raised in Plaintiff's Complaint and First
2 Amended Complaint and is considering a settlement offer/demand received from Plaintiff.
3 Further, Plaintiff and BANA have discussed extending the deadline an additional 21-days to
4 February 23, 2023, in order to continue to explore early resolution opportunities. On February 2,
5 2023, BANA received approval of the 21-day extension request from Plaintiff's counsel.

6 Based upon the foregoing, BANA respectfully requests that the Court extend the deadline
7 for BANA to file its response to Plaintiff's First Amended Complaint to February 23, 2023. This
8 is the first request for extension of time for BANA to respond Plaintiff's First Amended Complaint,
9 and second request for extension of time to respond to Plaintiff's allegations/claims in general.
10 The extension is requested in good faith and is not for purposes of delay or prejudice to any other
11 party.

12
13 Dated this 2nd day of February, 2023.

14 WRIGHT, FINLAY & ZAK, LLP

15 /s/ Jory C. Garabedian

16 Darren T. Brenner, Esq.

17 Nevada Bar No. 8386

18 Jory C. Garabedian, Esq.

19 Nevada Bar No. 10352

7785 W. Sahara Ave., Suite 200

Las Vegas, Nevada 89117

20 *Attorneys for Bank of America, N.A.*

21
22
23 **IT IS SO ORDERED:**

24 
25 _____

UNITED STATES MAGISTRATE JUDGE

26 DATED: February 3, 2023
27
28